

REMARKS


This response is to the Office Letter mailed in the above-referenced case on March 21, 2003. In the Office Letter the Examiner has rejected claims 1-2, 407, and 9-12 under 35 U.S.C. 103(a) as being unpatentable over Kikinis (U.S. 5,727,159), herein Kikinis, in view of Banerjee (US 6,292,181) hereinafter Banerjee.

In response to the Examiner's rejections and statements, applicant argues that the art presented by the Examiner does not combine to provide a Prima Facie Section 103(a) case against the standing claims. Applicant's arguments below patentably distinguish applicant's claimed invention over the prior art of Kikinis and Banerjee.

The Examiner states that Kikinis teaches the invention as claimed including a lite computerized device, a proxy server, a local area network (LAN) connecting the proxy server, the workstation and the data and software tools of the communication center (col. 4, lines 29-34, and col. 5, lines 53-61).

Applicant respectfully points out, as clearly shown in Fig. 2 of Kikinis, that Kikinis has a limited teaching of a computerized device having a two way connection to a proxy server 19 which has a connection (possibly LAN) to a conventional Web server. Applicant points out that there is no teaching in Kikinis of a connection from the proxy server, or the Web server to data and software tools of a communication center.

Kikinis specifically teaches that proxy server 19 includes HTML and TCP/IP capability, and typically has access to and capability of executing a host of other routines as known in the art for supporting WEB Browsing and accessing data through the Internet. Proxy server 19 of Kikinis also has the capability of accessing and downloading data from conventional Web Servers on the Internet. Kikinis also fairly teaches that




proxy server 19 and Web server 23 are connected by a LAN (col. 5, lines 49-51; col. 6, lines 17-27).

Applicant strongly asserts the argument that a proxy or Web server in Kikinis must teach access to all data and capability of remotely operating all software at a communication center. Kikinis fails to teach the claimed connections and functionality of the servers in applicant's invention.

Applicant claims a lite-computer device having a two way connection to a proxy server, wherein the proxy server is connected to a workstation on a LAN, and further connections to other remote proxy servers and functions are claimed and not shown in the art.

Applicant wishes to point out the patentable operations which occur between the workstation and the call center, while still being controlled by the lite computerized device. Previously added claims 11 and 12 include limitations of the LAN which has access to an outside wide area network (WAN), via the proxy server, connecting a plurality of remote proxy servers, each at a separate remote call center, and the lite computer device connects to and operates software and accesses data of at least one of the plurality of remote call centers via a workstation at one of the plurality of call centers. Applicant argues that the proxy server of Kikinis is capable of Web browsing and connection to other conventional Web servers. Applicant believes it is well known in the art that conventional Web servers do not have the capability of accessing all data and operating software of a communication center on a LAN.

The Examiner takes Official Notice that a workstation operates as a server is well known as taught in Schutzman (col. 3, line 33-col. 4, line 5). Applicant has studied the portion of Schutzman provided by the Examiner and the user has only the ability to launch software, (i.e. spreadsheet, word program), installed on the workstation. Kikinis, as admitted by the Examiner, also fails to teach any capability of operating all software all software and data systems available at the communication center. Applicant



points out that Kikinis also fails to teach the access to the data and software of the communication center.

Further, Banerjee clearly teaches that the MDPD (lite computer device) acts as an intelligent interface device to a desktop computer to **allow the user of the MDPD to access the database or files of the desktop computer** (col. 3, lines 43-46). Applicant argues that Banerjee fails to teach or suggest any capability of the MDPD above what is resident on the desktop computer.

The Examiner states that it would have been obvious to combine the well known teachings (Schutzman), with the teachings of Banerjee and Kikinis to use a workstation to provide server functions and allow the lite computerized device to have full access to all data and software at the communication center because it would reduce cost compared to the cost of using a mainframe and allow mobile user's access and control host resources regardless of location.

Applicant argues that the Examiner's above reasoning is faulty because even if a mainframe is used in Kikinis, where is an access taught to all data and software applications of the communication center? Applicant asserts that the limitation is not taught or suggested in the art.

Applicant points out to the Examiner that in order to support the conclusion that the claimed invention is directed to obvious subject matter, either the reference must expressly or impliedly suggest the claimed invention or the Examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious **in light of the teachings of the reference**. Both the suggestion to make the claimed combination and the reasonable expectation of success must be founded in the prior art rather than in applicant's disclosure. Applicant argues that the concept of using a lite computer device to access all data and operate all available software at a communication center, via a proxy server and a workstation at, or residing remotely from the



communication center, is entirely taught in applicant's specification, but not in the references. The motivation and suggestion of the server connections and functionality with the lite computer device, in the Examiner's reasoning above, is completely derived from applicant's specification.

In applicant's invention, as claimed, the lite computerized device is not limited to the applications of the workstation, as in the art of Banerjee and Shutzman. In applicant's system the lite computerized device can access and operate any communication center resources that are available on the LAN. Including the possibility of accessing other workstations at remote communication centers connected to the LAN via a WAN.

Applicant believes the unique architecture and functionality claimed in the present invention enables a remote computer-lite device, operated by a knowledge worker, to have access and functions of a communication center network not before available in the art.

Applicant believes that claims 1 and 6, as argued, are patentable over the art provided by the Examiner. The hand-held device of Kikinis is primarily for downloading information from the Internet. Therefore, there is no motivation for the hand-held device in Kikinis to connect to a workstation connected to a LAN in a communication center thereby having full access to the data systems and software of the communication center. Banerjee and Schutzman also fail to teach or suggest functional limitations of applicant's independent claims. Dependent claims 2, 4-5, 7, and 9-12 are patentable on their own merits, or at least as depended from a patentable claim.

It is clear that the prior art provided by the Examiner in this response does not suggest the invention as herein argued and claimed. It is therefore respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue.

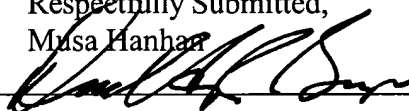
If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby



requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
Musa Hanhan

by



Donald R. Boys
Reg. No. 35,074

Donald R. Boys
Central Coast Patent Agency
P.O. Box 187
Aromas, CA 95004
(831) 726-1457

